

WEST VALLEY CITY, UTAH

RESOLUTION NO.

**A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO
A RIGHT-OF-WAY AGREEMENT WITH REAL ESTATE
INVESTMENT PARTNERS, LLC FOR PROPERTY LOCATED
AT 3749 SOUTH CONSTITUTION BOULEVARD, AND TO
ACCEPT A SPECIAL WARRANTY DEED.**

WHEREAS, the City has required a deceleration lane to be constructed along the east side of Constitution Boulevard (2700 West) south of the proposed In-N-Out Burger site; and

WHEREAS, construction of said deceleration lane has required additional right-of-way to be required from property owned by Real Estate Investment Partners, LLC; and

WHEREAS, Real Estate Investment Partners, LLC has agreed to convey that portion of property required by the City for the widening of the roadway; and

WHEREAS, an agreement has been prepared for execution by and between West Valley City and Real Estate Investment Partners, LLC. This agreement, entitled, "West Valley City Right-of-Way Agreement," sets forth the rights, duties and obligations of each of the parties with respect to the conveyance of property and construction of improvements; and

WHEREAS, Real Estate Investment Partners, LLC has executed a Special Warranty Deed conveying said right-of-way to the City, subject to the City entering into said Right-of-Way Agreement; and

WHEREAS, the City Council of West Valley City, Utah does hereby determine that it is in the best interests of the health, safety and welfare of the citizens of West Valley City to approve said Right-of-Way Agreement, and to accept said Special Warranty Deed.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of West Valley City that the Right-of-Way Agreement is hereby approved, and that the Mayor is authorized to execute said agreement for and on behalf of West Valley City.

BE IT FURTHER RESOLVED that, upon execution of said Right-of-way Agreement, the Mayor is authorized to accept and the City Recorder is authorized to record said Special Warranty Deed for and on behalf of West Valley City.

PASSED, APPROVED and MADE EFFECTIVE this _____ day of _____, 20__.

WEST VALLEY CITY

MAYOR

ATTEST:

CITY RECORDER